

### Non-EU Family Members of EU citizens

Please note that the below information applies to **visa required nationalities**. To check if your nationality is visa required please <u>consult this link</u>. If you are a **non-visa required nationality**, please see **Question 6**.

- 1. I hold an EU Family Card (Familiar de Ciudadano de la Unión). Can I travel to Ireland without a visa?
- 2. My EU Family Card qualifies me to travel without a visa. What other documents do I need?
- 3. I hold an EU Family Card but I do not qualify to travel to Ireland without a visa. What do I need to do now?
- 4. I am a family member of an EU citizen but I do not have an EU Family Card.
- 5. I am a family member of an Irish citizen and I have an EU Family Card. Can I apply for a visa under EU Treaty Rights?
- 6. I am a family member of an EU citizen and my nationality does not require a visa to travel to Ireland.

## 1. I hold an EU Family Card (Familiar de Ciudadano de la Unión). Can I travel to Ireland without a visa?

If you hold a **Spanish EU Family Card (Familiar de Ciudadano de la Unión),** issued to certain family members of EU citizens, you can use the <u>European Commission website</u> to check if your EU Family card qualifies you to travel to Ireland without a visa under **EU Directive 2004/38/EC** (the "Free Movement Directive"). Please note that as the Embassy is not the issuing authority, we cannot validate your residence card for you.

# 2. My EU Family Card qualifies me to travel without a visa. What other documents do I need?

If you do qualify to travel without a visa, we suggest that you also carry evidence of your right to hold an EU Family Card (e.g. a marriage certificate with a certified translation if it is not in English), as Border Authorities may request this.

In addition, we recommend that you check the policies of individual airlines and carriers to ensure that you do not have any problems at the point of departure in Spain.

On arrival, the Irish immigration authorities retain the right to grant or refuse entry into Ireland and to determine the duration of the visit. You will have to satisfy an Immigration Officer that you meet the conditions of entry for the purpose of your visit to Ireland. For more information, please consult the <u>Irish Immigration website</u>.

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If you are granted permission to remain and intend to stay in Ireland for more than 90 days, you must register with Registration and apply for a residence permit from the Irish Immigration Service before your permission to remain expires. For more information, please consult <u>EU Treaty Rights</u> and <u>EU Treaty Rights FAQs</u>.

If you are **not** travelling with your EU family member who qualified you for the EU Family card, we recommend that you apply for a visa.

# 3. I hold an EU Family Card but I do not qualify to travel to Ireland without a visa. What do I need to do now?

If your EU Family Card does not allow you to travel without a visa, you must apply for a **visa** to travel to Ireland. There are two types of visas.

#### **EU Treaty Rights**

You may apply under the European <u>Directive 2004/38/EC</u> whereby EU citizens have the right to travel to any member state of the Union with their non-EU family members. This application is processed under the Directive, also known as **EU Treaty Rights (EUTR)**, and applicants are exempt from paying the visa fee. Please see the following link for information on fee exemption for qualifying family members: <u>Preclearance and entry visas fees - Immigration</u> <u>Service Delivery (irishimmigration.ie)</u>. Please note that Permitted family members are not fee exempt.

If granted, the visa will be a **short-stay**, **single entry visa**. These applications are processed in Dublin and all documents must be submitted in English or Irish.

Please send an email to <a href="mailto:madrid.visados@dfa.ie">madrid.visados@dfa.ie</a> for a **complete list** of required and suggested documents for EUTR applications. Please <a href="mailto:consult our FAQs">consult our FAQs</a> for information on all aspects of the <a href="mailto:visa process">visa process</a> including how to submit your application, and how to either keep your identity documents or have them returned on reception of the application.

#### **Visit Visa**

If you wish to apply for a multiple-entry visa, or to travel without your EU family member, you must apply for Visit visa. As this application is not made under the Free Movement Directive, it is processed under Irish national legislation and there is no expedited process. You must also pay the visa fee and submit all required documents. Processing time is a minimum of 8 weeks from the time we receive all the documents.

Please <u>consult our FAQs</u> for information on all aspects of the <u>Visit visa process</u> including how to pay the visa fee, the required documents, how to submit your application, and how to either keep your identity documents or have them returned on reception of the application.

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### 4. I am a family member of an EU citizen but I do not have an EU Family Card.

You must apply for a visa and there are two types of visas you can apply for:

#### **EU Treaty Rights**

You may apply under the European <u>Directive 2004/38/EC</u> whereby EU citizens have the right to travel to any member state of the Union with their non-EU family members. This application is processed under the Directive, also known as **EU Treaty Rights (EUTR)**, and applicants are exempt from paying the visa fee. Please see the following link for information on fee exemption for qualifying family members: <u>Preclearance and entry visas fees - Immigration</u> <u>Service Delivery (irishimmigration.ie)</u>. Please note that Permitted family members are not fee exempt.

If granted, the visa will be a **short-stay**, **single entry visa**. These applications are processed in Dublin and all documents must be submitted in English or Irish.

Please send an email to <a href="mailto:madrid.visados@dfa.ie">madrid.visados@dfa.ie</a> for a **complete list** of required and suggested documents for EUTR applications. Please <a href="mailto:consult our FAQs">consult our FAQs</a> for information on all aspects of the <a href="mailto:visa process">visa process</a> including how to submit your application, and how to either keep your identity documents or have them returned on reception of the application.

#### **Visit Visa**

If you wish to apply for a multiple-entry visa, or to travel without your EU family member, you must apply for Visit visa. As this application is not made under the Free Movement Directive, it is processed under Irish national legislation and there is no expedited process. You must also pay the visa fee and submit all required documents. Processing time is a minimum of 8 weeks from the time we receive all the documents.

Please <u>consult our FAQs</u> for information on all aspects of the <u>Visit visa process</u> including how to pay the visa fee, the required documents, how to submit your application, and how to either keep your identity documents or have them returned on reception of the application.

5. I am a family member of an Irish citizen and I have an EU Family Card. Can I apply for a visa under EU Treaty Rights?

As the holder of an EU Family Card issued by Spain, you may travel to Ireland with your Irish family member without a visa (please see Question 2 above for more information). However, if you wish to apply for a visa, **you cannot apply under EU Treaty Rights**, because your EU family member is travelling to the country of which they are a national.

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If you are travelling for a **short stay visit** and you wish to apply for a visa, you should apply for a **Visit visa**. As these applications are not made under the Free Movement Directive, they are processed under Irish national legislation. There is **no expedited process** and you must **submit all required documents**. Processing time for Visit visas is **a minimum of 8 weeks** from the time we receive all the documents.

Please <u>consult our FAQs</u> for information on all aspects of the <u>Visit visa process</u> including the required documents, how to submit your application, and how to either keep your identity documents or have them returned on reception of the application. Please consult the following link for information on the visa fee exemption for family members of Irish citizens: Preclearance and entry visas fees - Immigration Service Delivery (irishimmigration.ie)

If you wish to move to Ireland with your Irish family member or join your family member in Ireland, you must make a **Join Family** application. Please contact the Visa Office for more information.

6. I am a family member of an EU citizen and my nationality does not require a visa to travel to Ireland.

Non-visa required nationalities do not require a visa to travel to Ireland. However, they are subject to immigration control. The immigration official reserves the right to grant or deny entry to the state and to determine the duration of the stay. Visitors will have to satisfy an Immigration Officer on arrival that they meet the conditions of entry that attach to the purpose of their stay in Ireland. For more information, please consult Irish Immigration.

If you intend to reside more than 90 days, you must register with <u>Immigration Registration</u> in Ireland before your permission to stay expires. Please find information on how to register for EU Treaty Rights <u>here</u> and more information in this link <u>EU Treaty Rights FAQs</u>.

You may wish to contact the Registration section of the Department of Justice in Ireland directly for further information in relation to these queries. Contact details can be found on the <a href="mailto:lmmigration-service-belivery-website">lmmigration Service Delivery website</a> and the EUTR email is <a href="mailto:eutreatyrights@justice.ie">eutreatyrights@justice.ie</a>.

Visa Section			
Madrid			